

AN ORDINANCE 2006-06-29-0832

**APPROVING A TOTAL CONSTRUCTION PROJECT AMOUNT OF \$6,243,336.03, TO INCLUDE AWARDING A \$5,425,671.00 CONTRACT WITH TEXAS STERLING CONSTRUCTION, L.P. FOR RECONSTRUCTION OF STAHL ROAD FROM O'CONNOR TO JUDSON AND ASSOCIATED DRAINAGE IMPROVEMENTS, \$1,167,155.00 OF WHICH WILL BE REIMBURSED BY SAN ANTONIO WATER SYSTEM AND \$130,465.00 WILL BE REIMBURSED BY CPS ENERGY; AND TO INCLUDE A \$44,000.00 AMENDMENT TO A PROFESSIONAL SERVICES AGREEMENT WITH PAPE - DAWSON ENGINEERS, INC. FOR REVISED PLANS RELATED TO SEPARATING THE METROPOLITAN PLANNING ORGANIZATION INTERSECTION PROJECTS FROM THE BID PACKAGE, IN CONNECTION WITH THE STAHL ROAD - O'CONNOR TO JUDSON PROJECT, AN AUTHORIZED 2003 GENERAL OBLIGATION STREET & PEDESTRIAN IMPROVEMENT BOND FUNDED PROJECT, LOCATED IN DISTRICT 10, AND APPROPRIATING FUNDS.**

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**WHEREAS**, bids were submitted in connection with the Stahl Road - O'Connor to Judson Project; and

**WHEREAS**, this Ordinance accepts the lowest responsive bid submitted by **Texas Sterling Construction, L.P.** in the amount of \$5,425,671.00 for the Stahl Road - O'Connor to Judson Project; and

**WHEREAS**, this Project provides for reconstruction of Stahl Road from O'Connor to Judson to four lanes with a raised median, left turn lanes, 4-foot sidewalks, curbs and associated drainage improvements; and

**WHEREAS**, this Ordinance also authorizes \$412,805.10 for Project Contingency, \$317,859.93 for Capital Administrative Costs, \$41,000.00 for Material Testing, and \$2,000.00 for advertising expenses; and

**WHEREAS**, on March 11, 2004, Ordinance No. 98953 authorized the execution of a professional services contract with **Pape Dawson Engineers, Inc.** in the amount of \$457,500.00 for engineering services in connection to the Stahl Road - O'Connor to Judson Project; and

**WHEREAS**, this Ordinance also amends the contract with **Pape Dawson Engineers, Inc.** in an amount not to exceed \$44,000.00 for additional engineering services required to revise plans related to separating the Metropolitan Planning Organization intersection projects from the bid package; and

**WHEREAS**, of the \$6,243,336.03, the San Antonio Water System will reimburse the City \$1,167,155.00 for relocation and/or replacement of their sewer and water facilities and CPS Energy will reimburse the City for \$130,465.00 for relocation and/or replacement of their utilities associated with this Project; and

**WHEREAS**, approval of this Ordinance will be a continuation of Council policy to complete previously approved 2003 General Obligation Street and Pedestrian Improvement Bond funded Projects, **NOW THEREFORE**;

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:**

**SECTION 1.** The lowest responsive bid of **Texas Sterling Construction, L.P.** in the amount of \$5,425,671.00 in connection with the Stahl Road – O'Connor to Judson Project is hereby accepted. All other bids will be considered rejected upon the execution of a contract by the successful bidder and the deposit of all required bonds and insurance certificates or the expiration of ninety (90) days from the effective date hereof, whichever occurs first.

**SECTION 2.** The City Manager or her designee is hereby authorized to execute a standard form contract covering said Project in substantially the same form as the City's Standard Form Contract for Construction Contracts.

**SECTION 3.** The professional services contract between the City of San Antonio and **Pape Dawson Engineers, Inc.** which was originally authorized by Ordinance 98953 dated March 11, 2004 is hereby amended to provide additional engineering services in the amount of \$44,000.00 in connection with the Stahl Road – O'Connor to Judson Project.

**SECTION 4.** This ordinance is also a declaration of the City's official intent to reimburse itself from the proceeds derived from the sale of the City of San Antonio, Certificates of Obligation, Series 2006 for any authorized expenditures from any lawfully available funds of the City. This reimbursement is contingent upon the sale of the City of San Antonio, Certificates of Obligation, Series 2006 for the Stahl Road – O'Connor to Judson Project.

**SECTION 5.** The following financial adjustments are hereby approved:

- a) The amount of \$4,373,398.00 is appropriated in fund 45801000, 2003 Street Bonds, GO-00244-01-01-12 GL account 6102100 – Interfund Transfer out entitled Transfer to 23-00151-90-03. The amount of \$4,373,398.00 is authorized to be transferred to fund 45099000.
- b) The budget in fund 45099000, Project Definition 23-00151 Stahl Road – O'Conner to Judson, shall be revised by increasing WBS element 23-00151-90-03 entitled Trf Fr GO-00244-01-01-12, GL account 6101100 – Interfund Transfer In, by the amount of \$4,373,398.00.
- c) The amount of \$517,134.00 is appropriated in fund 43902003, 2006 C/O Streets Improvements, CO-20060-01-01-11 GL account 6102100 – Interfund Transfer out entitled Transfer to 23-00151-90-05. The amount of \$517,134.00 is authorized to be transferred to fund 45099000.
- d) The budget in fund 45099000, Project Definition 23-00151 Stahl Road – O'Conner to Judson, shall be revised by increasing WBS element 23-00151-90-05 entitled Trf Fr CO-20060-01-01-11, GL account 6101100 – Interfund Transfer In, by the amount of \$517,134.00.
- e) The amount of \$55,184.03 is appropriated in fund 43507001, 2004 Streets Medical Center Intersection, CO-00050-01-01-31 GL account 6102100 – Interfund Transfer out entitled Transfer to 23-00151-90-06. The amount of \$55,184.03 is authorized to be transferred to fund 45099000.

- f) The budget in fund 45099000, Project Definition 23-00151 Stahl Road – O’Conner to Judson, shall be revised by increasing WBS element 23-00151-90-06 entitled Trf Fr CO-00050-01-01-31, GL account 6101100 – Interfund Transfer In, by the amount of \$55,184.03.
- g) Funds are authorized to be received from SAWS-Sewer, to fund 45099000, Project Definition 23-00151 Stahl Road – O’Conner to Judson, shall be revised by increasing WBS element 23-00151-90-02, entitled SAWS Contribution, SAP GL Account 4502280 – Contribution from other Agencies, by the amount of \$5,305.00.
- h) Funds are authorized to be received from SAWS-Water, to fund 45099000, Project Definition 23-00151 Stahl Road – O’Conner to Judson, shall be revised by increasing WBS element 23-00151-90-02, entitled SAWS Contribution, SAP GL Account 4502280 – Contribution from other Agencies, by the amount of \$1,161,850.00.
- i) Funds are authorized to be received from CPS, to fund 45099000, Project Definition 23-00151 Stahl Road – O’Conner to Judson, shall be revised by increasing WBS element 23-00151-90-01, entitled CPS Contribution, SAP GL Account 4502280 – Contribution from other Agencies, by the amount of \$130,465.00.
- j) The amount of \$4,128,051.00 is appropriated in Fund 45099000, General Obligation Capital Projects, Project Definition 23-00151 Stahl Road – O’Conner to Judson, WBS element 23-00151-05-02-01, entitled City Construction, G/L Account 5201140, and is authorized to be encumbered and made payable to **Texas Sterling Construction, L.P.** for construction services.
- k) The amount of \$5,305.00 is appropriated in Fund 45099000, General Obligation Capital Projects, Project Definition 23-00151 Stahl Road – O’Conner to Judson, WBS element 23-00151-05-02-02-01, entitled SAWS Construction Sewer, G/L Account 5201140, and is authorized to be encumbered and made payable to **Texas Sterling Construction, L.P.** for construction services.
- l) The amount of \$1,161,850.00 is appropriated in Fund 45099000, General Obligation Capital Projects, Project Definition 23-00151 Stahl Road – O’Conner to Judson, WBS element 23-00151-05-02-02-02, entitled SAWS Construction Water, G/L Account 5201140, and is authorized to be encumbered and made payable to **Texas Sterling Construction, L.P.** for construction services.
- m) The amount of \$130,465.00 is appropriated in Fund 45099000, General Obligation Capital Projects, Project Definition 23-00151 Stahl Road – O’Conner to Judson, WBS element 23-00151-05-02-03, entitled CPS, G/L Account 5201140, and is authorized to be encumbered and made payable to **Texas Sterling Construction, L.P.** for construction services.
- n) The amount of \$41,000.00 is appropriated in Fund 45099000, General Obligation Capital Projects, Project Definition 23-00151 Stahl Road – O’Conner to Judson, WBS element 23-00151-05-02-01, entitled City Construction, G/L Account 5201040, and is authorized to be encumbered and made payable for materials testing.
- o) The amount of \$412,805.10 is appropriated in Fund 45099000, General Obligation Capital Projects, Project Definition 23-00151 Stahl Road – O’Conner to Judson, WBS element 23-

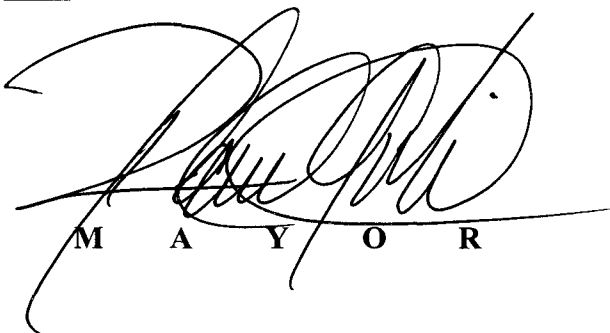
00151-05-06, entitled Project Contingency, G/L Account 5201040, and is authorized to be encumbered and made payable for project contingencies.

- p) The amount of \$317,859.93 is appropriated in 45099000, General Obligation Capital Projects, Project Definition 23-00151 Stahl Road – O’Conner to Judson, WBS element 23-00151-05-04, entitled Construction Capital Administration, G/L Account 5201040, and is authorized to be encumbered and made payable for capital administrative costs.
- q) The amount of \$44,000.00 is appropriated in 45099000, General Obligation Capital Projects, Project Definition 23-00151 Stahl Road – O’Conner to Judson, WBS element 23-00151-01-02, entitled Design, G/L Account 5201170, and is authorized to be encumbered and made payable to **Pape-Dawson Engineers, Inc.** for professional engineering services.
- r) The amount of \$2,000.00 is appropriated in Fund 45099000, General Obligation Capital Projects, Project Definition 23-00151 Stahl Road – O’Conner to Judson, WBS element 23-00151-05-01, entitled Advertise, G/L Account 5201150, and is authorized to be encumbered and made payable for advertising expenses.


**SECTION 6.** The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director of Finance may, subject to concurrence by the City Manager or the City Manager’s designee, correct allocation to specific SAP Fund Numbers, SAP Project Definitions, SAP WBS Elements, SAP Internal Orders, SAP Fund Centers, SAP Cost Centers, SAP Functional Areas, SAP Funds Reservation Document Numbers, and SAP GL Accounts as necessary to carry out the purpose of this Ordinance.

**SECTION 7.** This Ordinance shall take effect on the 9th day of July, 2006.


**PASSED AND APPROVED** this 29th day of June, 2006.

For.   
M A Y O R

**ATTEST:**

  
City Clerk

**APPROVED AS TO FORM:**

  
City Attorney

# Agenda Voting Results

**Name:** 38

**Date:** 06/29/06

**Time:** 07:42:10 PM

**Vote Type:** Multiple selection

**Description:** An Ordinance approving a total construction project amount of \$6,243,336.03, to include awarding a \$5,425,671.00 contract with Texas Sterling Construction, L.P. for reconstruction of Stahl Road from O'Connor to Judson and associated drainage improvements, \$1,167,155.00 of which will be reimbursed by San Antonio Water System and \$130,465.00 will be reimbursed by CPS Energy; and to include a \$44,000.00 amendment to a professional services agreement with Pape - Dawson Engineers, Inc. for revised plans related to separating the Metropolitan Planning Organization intersection projects from the bid package, in connection with the Stahl Road - O'Connor to Judson Project, an authorized 2003 General Obligation Street & Pedestrian Improvement Bond Funded Project, located in District 10, and appropriating funds. [Presented by Thomas Wendorf, Director, Public Works; Jelynn LeBlanc Burley, Deputy City Manager]

Voter	Group	Status	Yes	No	Abstain
ROGER O. FLORES	DISTRICT 1		x		
SHEILA D. MCNEIL	DISTRICT 2		x		
ROLAND GUTIERREZ	DISTRICT 3		x		
RICHARD PEREZ	DISTRICT 4		x		
PATTI RADLE	DISTRICT 5		x		
DELICIA HERRERA	DISTRICT 6		x		
ELENA K. GUAJARDO	DISTRICT 7		x		
ART A. HALL	DISTRICT 8		x		
KEVIN A. WOLFF	DISTRICT 9	Not present			
CHIP HAASS	DISTRICT_10		x		
MAYOR PHIL HARDBERGER	MAYOR	Not present			

**ITEM NO. 38**

**CONSTRUCTION CONTRACT AWARD TO  
TEXAS STERLING FOR RECONSTRUCTION OF  
STAHL ROAD FROM O'CONNOR TO JUDSON AND  
ASSOCIATED DRAINAGE IMPROVEMENTS.**

**MOTION:** to approve this contract, however I request that staff from the Economic Development Dept. Small Business Program meet with the firm within the next few days and offer their assistance at undertaking further outreach to the small, minority and women-owned business community in an effort to increase this particular business community's participation in this \$5.4M contract. I am hopeful that this additional effort will result in the approval of the firm's Good Faith Effort Plan prior to the City Manager signing the contract and the firm proceeding with this very important construction project in my District.